

REMARKS

Claims 1, 3-6, 10 and 12-15 remain pending in this application. Claims 2, 7-9 and 11 are previously cancelled. Claims 1 and 10 are amended herein to clarify the invention.

Applicant herein traverses and respectfully requests reconsideration of the rejection of the claims cited in the above-referenced Office Action.

Claims 1, 3, 4, 6, 10, 12, 13 and 15 are rejected as obvious over Walker et al. (US 6,138,106) in view of Pennell et al. (US 6,910,179) under 35 U.S.C. §103(a). The applicant herein respectfully traverses these rejections. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

According to the features of claims 1 and 10 as herein amended, the administrator of a goods supply system is required only to deliver his goods to a goods delivery destination that has been designated by a different administrator of the sale processing system. As regards a settlement of the goods payment, such transaction need only be performed between the administrator of the goods supply system and the other administrator of the sale processing system. Also, with regard to the delivery of goods to a general user, or the settlement of the goods payment, it is possible to utilize, in its entirety, functions which the Web site of the sale processing system has already possessed. Therefore, a goods supplier can start

selling his goods easily, using an already existing on-line shopping Website administered by the administrator of the sale processing system.

The selection and purchase of an item of goods to be performed by a user is controlled in accordance with the specified program that has been provided from the goods supply system. Therefore, the manner of selection and purchase of goods is not constrained by the usual manner of selecting and buying goods of the sale processing system. Thus, it is possible to allow the goods supplier (the administrator of the goods supply system) to exercise originality in sales approach, as desired by the goods supplier.

Because a goods supplier is the administrator of the goods supply system, but not the administrator of the sale processing system, the present invention provides an advantage and effect not suggested by the proffered combination of references.

Moreover, with regard to the sale processing system, because of the provision of allowing the second selling program provided from the goods supply system to be sent to a user's terminal having accessed the Web site, the sale processing system can add goods supplied from the goods supply system to the goods the sale processing system handles. As a result of this, it is possible to increase the number of accesses to the sale processing system's Web site.

Walker et al. (US 6,138,106) discloses a system 10, wherein a user can buy a gift item with an initial code value, and successively, he can buy another gift item with the adjusted code value. Even if one were to consider that the first purchase and

the second purchase correspond to the first sale and the second sale of the present, invention respectively, as is averred by the Examiner, Walker et al. discloses, as a program for controlling the purchases, only one program (the certificate redemption program). Walker et al. fails to teach or suggest that each of the purchases is controlled by a different program. Moreover, Walker et al. only discloses a system for purchasing (the system controlled by the central controller), and is silent regarding a system for supplying goods. However, even if it were to be assumed that the central controller includes a goods supply system and a sale processing system, it is impossible to derive from such, a conception that an administrator of the sale processing system is different from an other administrator of the goods supply system.

Pennell et al. (US 6,910,179) discloses a system, wherein a browser automation program learns gradually to make it easier to input to an input form (col.2 line 61- col.3, line 14). Both the input to the first input form and the input to the second input form are controlled by the same program. Therefore, even if the visited site 306, a browser automation home site 305, and a browser automation program were to be assumed as corresponding to a goods sale site, a goods supply site, and the selling program, respectively, Pennell et al. is still silent regarding a construction by which the home site 305 communicates with the visited site 306. Therefore, it is not possible to derive from Pennell et al., a construction, in

accordance with which, the browser automation program is provided from the home site 305 to the visited site 306.

Thus, according to the proffered combination of Walker and Pennell, a system derived from the combination is limited to one in which the items filled in an input form at the moment of the first goods purchase are reflected to an input form at the moment of the second goods purchase. It is respectfully submitted that the present invention, in accordance with which a goods supply system, which is administered by an administrator different from an other administrator of a sale processing system, provides the sales processing system with a selling program which reflects a goods supplier's desired selling process, cannot be arrived at based upon a combination of Walker et al. and Pennell et al..

Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejection of claims 1, 3, 4, 6, 10, 12, 13 and 15 and their allowance are respectfully requested.

Claims 5 and 14 are rejected as obvious over Walker et al. (US 6,138,106) in view of Pennell et al. (US 6,910,179), and further in view of Satchell et al. (US 5,822,216) under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection.

Satchell et al., like the Walker et al. and Pennell et al. references, fails to teach or suggest the provision that the second selling program, to be executed on the

user's terminal for realizing the second selling process, and which is different from the first selling process, is provided to the sale processing system from the goods supply system managed by a supplier, and from where it can be transferred to a user to be executed in connection with the Web browser. Moreover, Sachell et al. also is deficient in teaching that an administrator of the sale processing system is different from an other administrator of the goods supply system. Thus, the combination of prior art references fails to teach or suggest all the claim limitations as properly required for establishing a *prima facie* case of obviousness.

Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejections of claims 5 and 14 and their allowance are respectfully requested.

No fee is believed due. If there is any fee due the USPTO is hereby authorized to charge such fee to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form
for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
JORDAN AND HAMBURG LLP

By Frank J. Jordan by :
Frank J. Jordan
Reg. No. 20,456
Attorney for Applicant
and,

By Lawrence Wechsler
Lawrence Wechsler
Reg. No. 36,049
Attorney for Applicant

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340